



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE October 21, 2005	CONTACT/PHONE Stephanie Fuhs (805) 781-5721	APPLICANT Steven Quist	FILE NO. DRC2004-00029
EFFECTIVE DATE November 4, 2005			
SUBJECT Hearing to consider proposal by Steven Quist for a Minor Use Permit to allow the construction of a 3,591 square foot single family residence with two attached garages totaling 1,248 square feet. The project is located in the Residential Rural Land Use Category/Sensitive Resource Area Combining Designation. The Minor Use Permit is required by conditions of approval for Tract 2292. The property is located on Lot 5 of Tract Map 2292, on Paseo de Caballo, west of Highway One, approximately ½ mile west of Stenner Creek Road, west of the City of San Luis Obispo, APN:, in the San Luis Obispo Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2004-00029 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The project was found to be consistent with the Mitigated Negative Declaration prepared for Tract 2292.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION Sensitive Resource Area	ASSESSOR PARCEL NUMBER 073-333-005	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: 22.108.130(B) - Sensitive Resource Area <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: 22.10.090 - Height Limitation, 22.10.140 - Setbacks <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on November 4, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Public Facilities/California Men's Colony <i>South:</i> City of San Luis Obispo/Grazing <i>East:</i> Agriculture/Grazing <i>West:</i> Agriculture/Grazing			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, CDF, City of San Luis Obispo	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses, forbs
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: August 24, 2005

DISCUSSION

The subject property is located in Tract 2292 on Lot 5. This subdivision had conditions of approval for future development including Minor Use Permit approval for each residence.

Other conditions of the subdivision with regard to Minor Use Permit approval include submittal of a landscaping plan, geologic report and a color and materials board. A height limitation of 22 feet from average natural grade was also placed on this particular parcel. As proposed and conditioned, the residence complies with all of the conditions of Tract 2292.

PLANNING AREA STANDARDS:

22.08.130(B) - *Sensitive Resource Area* - San Luis Obispo Planning Area standards set forth requirements for construction of new structures in order to minimize grading and locate development in the least visible areas of the site. As proposed, the residence is located on the more level portion of the parcel which will require less grading and minimize visual impacts. Landscape screening has been proposed which will further reduce visual impacts when viewed from Highway One.

LAND USE ORDINANCE STANDARDS:

22.10.090 - *Height Limitation* - As stated previously, the height restriction of 22 feet required by Tract 2292 supercedes the Land Use Ordinance standard of 35 feet.

22.10.140 - *Setbacks* - On any parcel larger than one acre, the setbacks are twenty-five feet in the front, and thirty feet on the sides and rear. As proposed, the project meets this standard.

AGENCY REVIEW:

Public Works - Supports (no specific conditions requested)

CDF - See attached fire safety plan

City of San Luis Obispo - No comments received

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

EXHIBIT A - FINDINGS

Environmental Determination

- A. That the Hearing Officer considered and relied on the previously adopted Negative Declaration which is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed residence does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed residence is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Paseo de Caballo, a local road constructed to a level able to handle any additional traffic associated with the project.

Sensitive Resource Area

- G. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the proposed residence is located on the more level portion of the parcel and has proposed landscaping to reduce visual impacts from Highway One.
- H. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the project is sited in an area which does not impact the existing vegetation and will not require significant grading due to fairly level topography.

- I. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because the area proposed for development is fairly level and does not involve the removal of any trees or significant vegetation.
- J. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because the project has been designed and engineered to minimize runoff to downsloping parcels. Prior to issuance of construction permits, drainage and erosion control plans will be required which will further minimize runoff concerns.

EXHIBIT B - CONDITIONS OF APPROVAL
Quist Minor Use Permit DRC2004-00029

Approved Development

1. This approval authorizes
 - a. construction of a 3,951 square foot single family residence with two attached garages totaling 1,248 square feet
 - b. maximum height is 22 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
4. **At the time of application for construction permits**, the applicant shall submit a letter from the Rancho Caballo Design Review Committee stating that the plans have been reviewed and approved.

Fire Safety

5. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated ***date of letter***.

Services

6. **At the time of application for construction permits**, the applicant shall provide a letter from ***name of agency*** stating they are willing and able to service the property.
7. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Drainage

8. **Prior to issuance of construction permits**, the applicant shall submit a drainage and erosion control plan for review and approval by the Public Works Department if required by the Building Division.

Fees

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed during construction of the project

Geology

10. **During construction and ground disturbing activities**, the applicant shall implement all of the recommendations included in the engineering geology report prepared by GeoSolutions, Inc., dated October 28, 2004 as well as any amendments to such report approved by the Department of Planning and Building.

Building Height

11. The maximum height of the project is 22 feet from average natural grade.
 - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Air Quality

12. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. All materials excavated or graded for the proposed project shall be sufficiently watered to prevent excessive amounts of dust. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Increased watering shall be required whenever wind speeds exceed 15 mph.
 - b. All dirt stock pile areas should be sprayed daily as needed.

- c. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

Conditions to be completed prior to occupancy or final building inspection / establishment of the use

Miscellaneous

13. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before **final building inspection**. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.
14. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
15. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
16. **Prior to final inspection**, the applicant shall implement the approved colorboard.

On-going conditions of approval (valid for the life of the project)

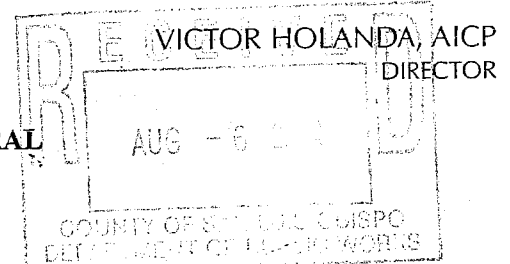
17. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
18. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

SF

THIS IS A NEW PROJECT REFERRAL



DATE:

8/5/04

FROM

PW



South Co. Team

(Please direct response to the above)

QUIST

DRC2004-00029

Project Name and Number

Development Review Section (Phone: 781-788-2009) ()

PROJECT DESCRIPTION: mup -> build 3,591 sq. ft. SFR.
Paso de Caballo in SLO. SW of Hwy. 1

Return this letter with your comments attached no later than: 8/20/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval

02 SEP 2004
Date

Goodwin
Name

5252
Phone



LAND USE APPLICATION

San Luis Obispo County Department of Planning and Building

File Nos. _____

APPLICATION TYPE CHECK ALL THAT APPLY

- ☐ Emergency Permit
☐ Zoning Clearance
☐ Plot Plan

- ☐ Site Plan
☒ Minor Use Permit
☐ Development Plan

- ☐ Variance
☐ Surface Mining/Reclamation Plan

- ☐ Tree Removal
☐ Curb, Gutter & Sidewalk Waiver
☐ Other

DRC2004 80029

APPLICANT INFORMATION

☐ Landowner Name STEVE QUIST

Daytime Phone: 543-4770

Mailing Address 886 BOYSEN AVE

Zip: 93405

☐ Applicant Name STEVE QUIST

Daytime Phone: _____

Mailing Address _____

Zip: _____

☐ Agent T. MATZTIN

Daytime Phone: 544-4398

Mailing Address 697 HIGUERA ST. STE A

Zip: 93401

PROPERTY INFORMATION

Total Size of Site: 1.38

Assessor Parcel Number(s): 073-333-005

Legal Description: LOT 4, TRACT 2292

Address of the project (if known): _____

Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: HIWAY 1, LEFT @ PASO DE CABALLO

Describe current uses, existing structures, and other improvements and vegetation on the property: VACANT LOT

PROPOSED PROJECT

Describe the proposed project (inc. sq. ft. of all buildings): 3 BED RM, 4 GARAGE, SPLIT LEVEL RESIDENCE OF 3591 SF.

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature [Signature]

Date 4 AUG 2004

OFFICE USE ONLY

Date Received: _____

By: _____

Receipt No.: _____

Use Group?: _____

Planning Area: SC0

Community Code: R

☐ "A" Use ☐ "S" Use

Land Use Category: RR

Combining Designation: _____

Coastal Zone: ☐ In ☒ Out Enforcement Case: ☐ Yes ☒ No File # _____

Addressing: _____

Comments: map reg. by Tract 2292

Planner: JAP

Date: 10/5/04

Revised 11/02/01

~~66 FEES ONLY~~

K186 DEC FEES



SF

CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

August 23, 2004

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

Dear South County Team,

MINOR USE PLAN

Name: Quist

Project Number: DRC 2004-00029

The Department has reviewed the minor use plans submitted for the proposed single family residence project located at 1725 Paseo De Caballo, San Luis Obispo. The property is located within high fire hazard severity area, and will require a minimum 5-6 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

BUILDING SETBACKS

All parcels one acre and larger shall provide a minimum 30-foot setback from all property lines.

ROOF COVERINGS

All new structures within "high" fire severity zones shall have a minimum of at least a Class B roof covering.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a residential fire/life safety sprinkler system.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13D, 13R.
- Plans shall be submitted for review and approval to the County Building Department.
- The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].

COMMUNITY WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the California Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended, and in Appendix III-A.
- The proposed project shall provide a minimum 1000 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

One fire hydrant shall be required.

- Fire hydrants are to be located with a maximum normal spacing of 500 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.
- Signing: Each hydrant shall be identified by blue reflective dot.
 - (a) On a fire resistive post within 3 feet of fire hydrant.
 - (b) On a non-skid surface, center of roadway, to the fire hydrant side.

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

ACCESS

Access road width shall be 18 feet.

Driveway width shall be 10 feet.

All road and driveway surfaces shall be all weather.

All surfaces shall be constructed to meet a load capacity of 20 tons.

Any grade exceeding 12% shall be a non-skid surface.

ADDRESSING

Legible address numbers shall be placed on all residences.

Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

To each side of roads and driveways a 10-foot fuelbreak shall be provided.

Maintain around all structures a 30-foot firebreak.

➤ This does not apply to landscaped areas and plants.

Remove any part of a tree that is within 10 feet of a chimney outlet.

Maintain any tree adjacent to or overhanging any building free of deadwood.

Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

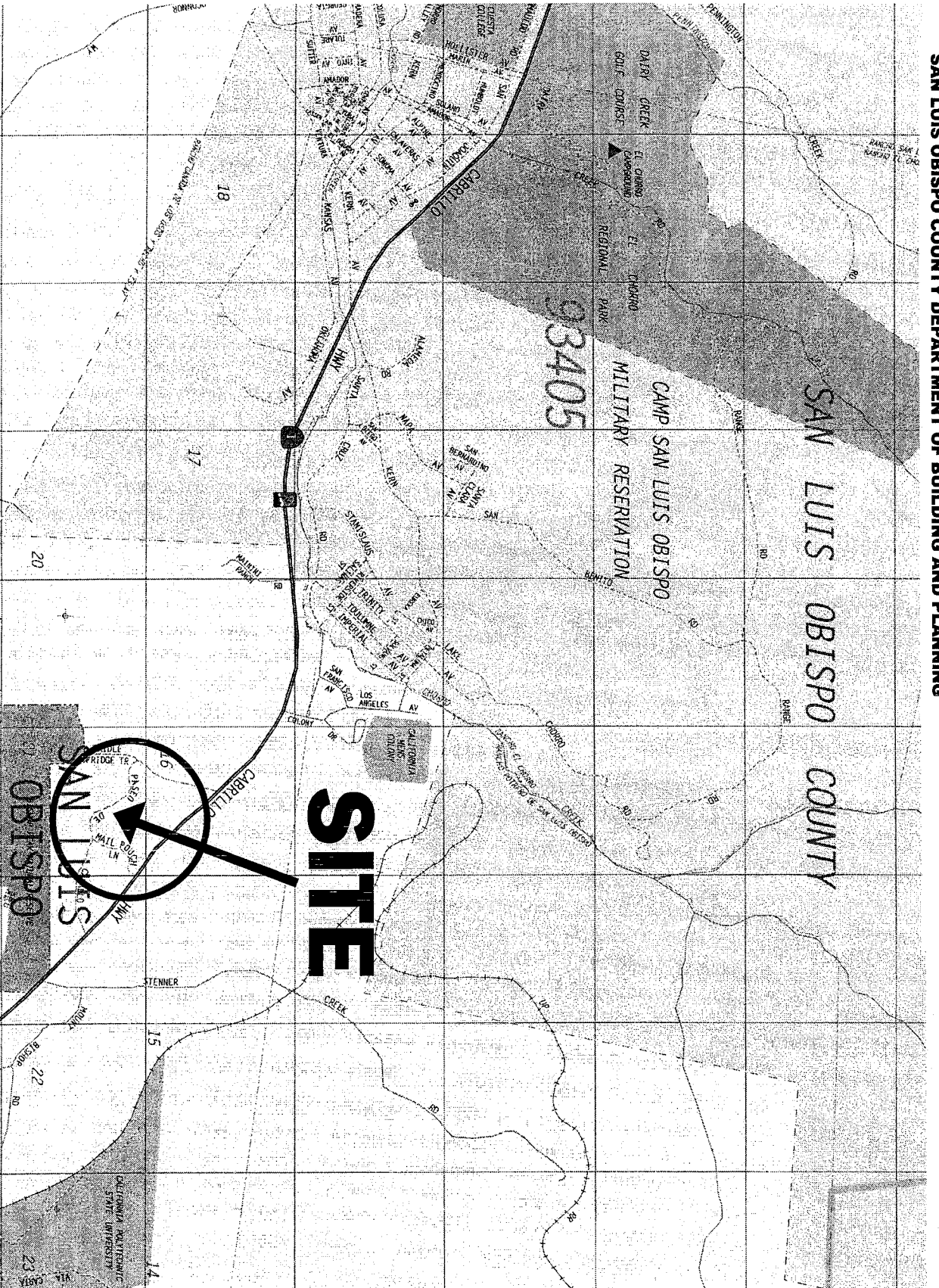
The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

C: Mr. Steve Quist, owner
T. Matzlin, agent



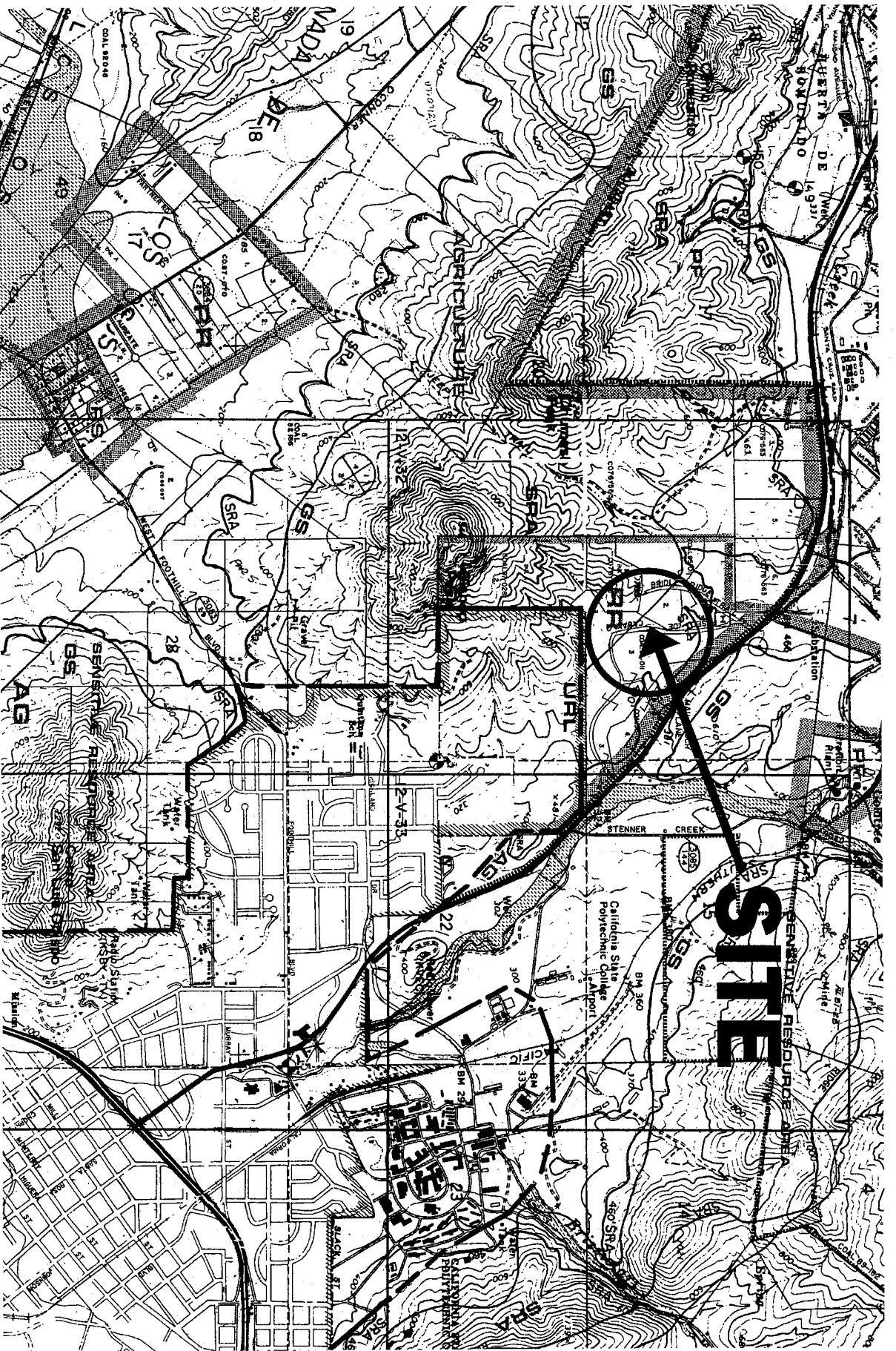
PROJECT

Minor Use Permit
Quist DRC2004-00029



EXHIBIT

Vicinity Map



PROJECT

Minor Use Permit
Quist DRC2004-00029



EXHIBIT

Land Use Category Map



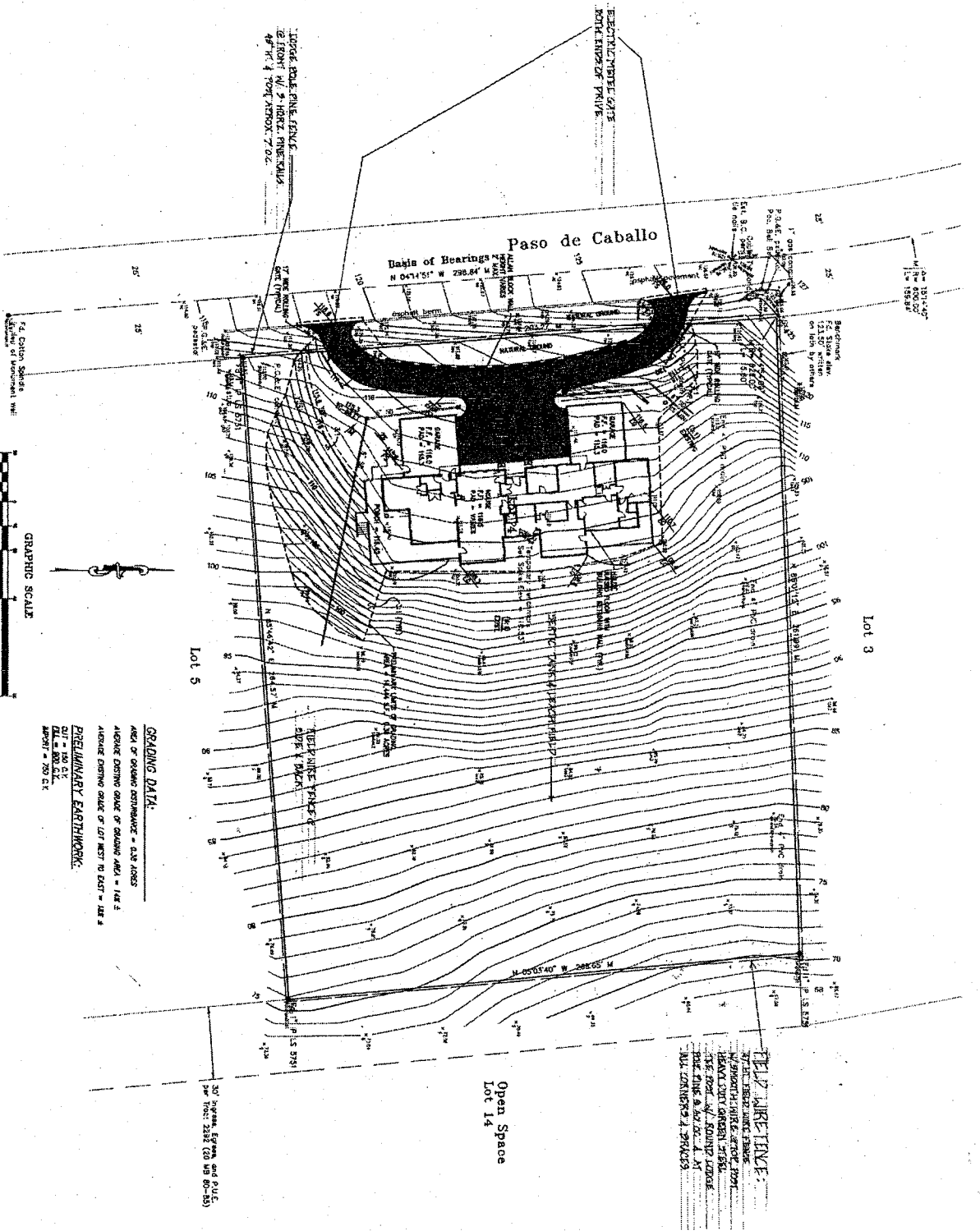
PROJECT

Minor Use Permit
Quist DRC2004-00029



EXHIBIT

Aerial Photograph



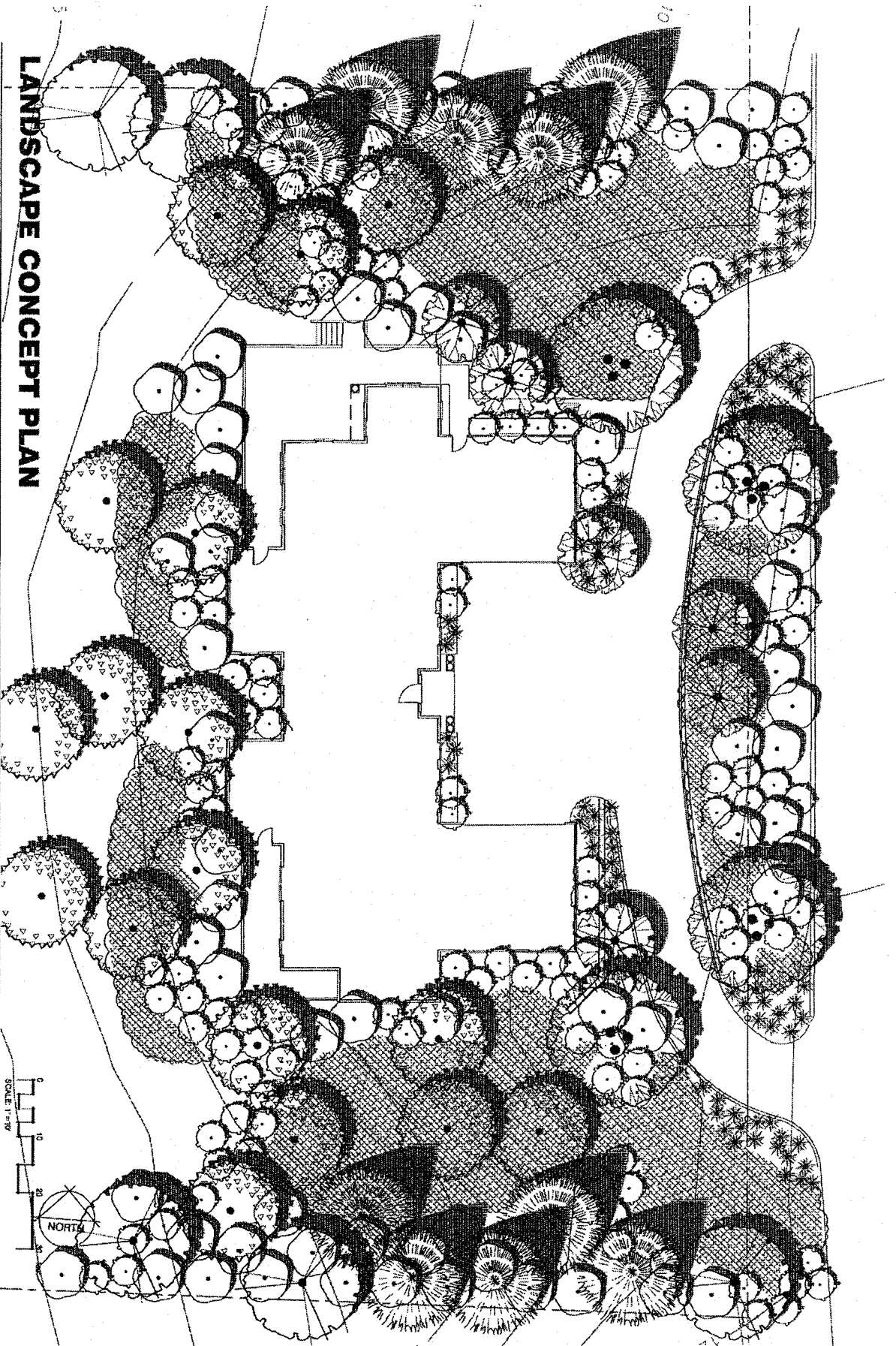
PROJECT

Minor Use Permit
Quist DRC2004-00029



EXHIBIT

Grading & Drainage Plan



LANDSCAPE CONCEPT PLAN

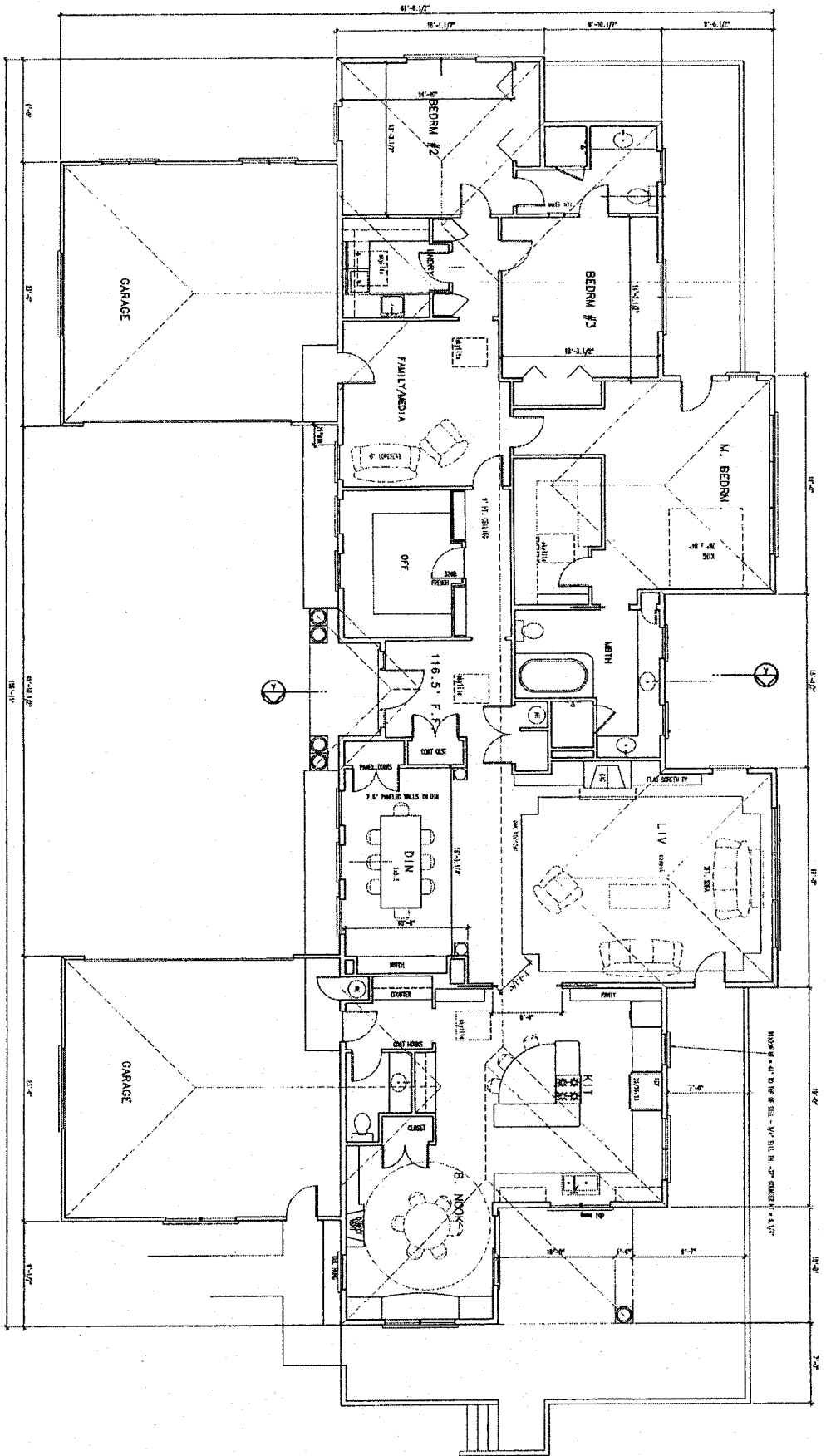
PROJECT

Minor Use Permit
Quist DRC2004-00029



EXHIBIT

Landscape Concept Plan



PROJECT

Minor Use Permit
Quist DRC2004-00029



EXHIBIT

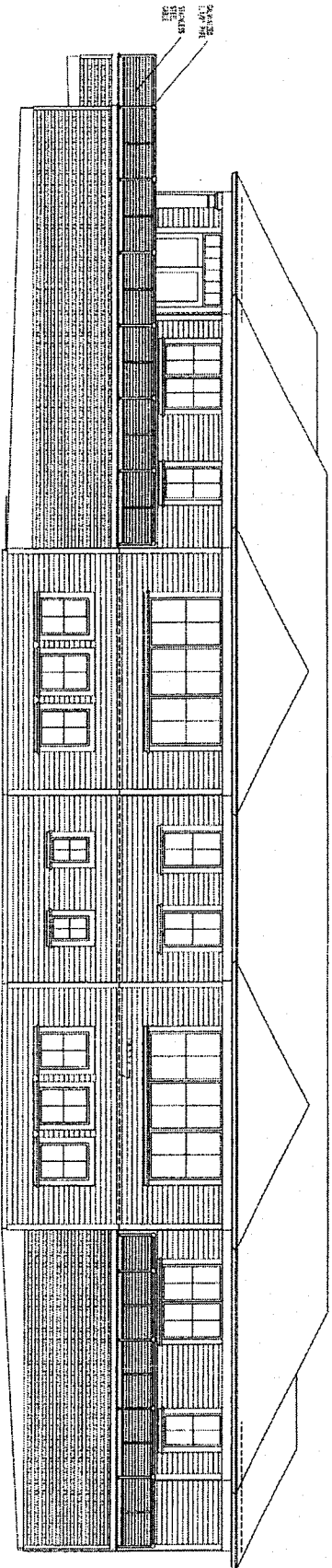
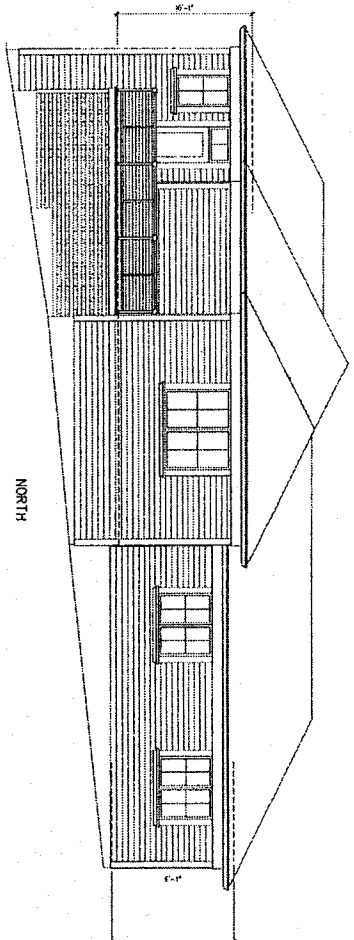
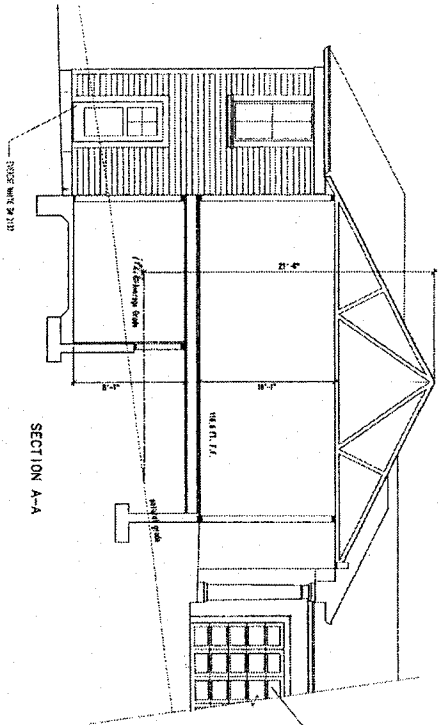
Floor Plan



EXHIBIT

Elevations – West & South





PROJECT

Minor Use Permit
Quist DRC2004-00029



EXHIBIT

Elevations - North & East